

ADVISORY OPINION 94-023

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

November 29, 1994

Mr. John Stephenson  
P.O. Box 175885  
Ft. Mitchell, Kentucky 41017

Dear Mr. Stephenson:

This is in response to your November 3, 1994, letter in which you request an opinion regarding whether you may utilize a "900" telephone number to generate campaign contributions in a statewide race.

The Registry has recognized that "900" telephone services are permitted by the Federal Election Commissioner for campaign fundraising activities and has also determined that Kentucky campaign finance statutes would not prohibit their use. (A copy of an October 17, 1991, Registry opinion is attached.)

However, you should be advised that the responsibility for recording and reporting contributions under KRS Chapters 121 and 121A remains with the candidate and treasurer and is not assumed by the telephone carrier which provides "900" services. While contributions of \$100 or less are not required to be reported, the campaign must nevertheless keep detailed records of every contribution, whatever the amount, for audit purposes. Your campaign's accounting system must be sufficiently comprehensive that the auditor may be assured that no violation of the contribution limits has occurred. Therefore, you must determine whether your carrier is capable of providing you with necessary information for complying with campaign finance statutes.

Sincerely,

Rosemary F. Center  
General Counsel

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